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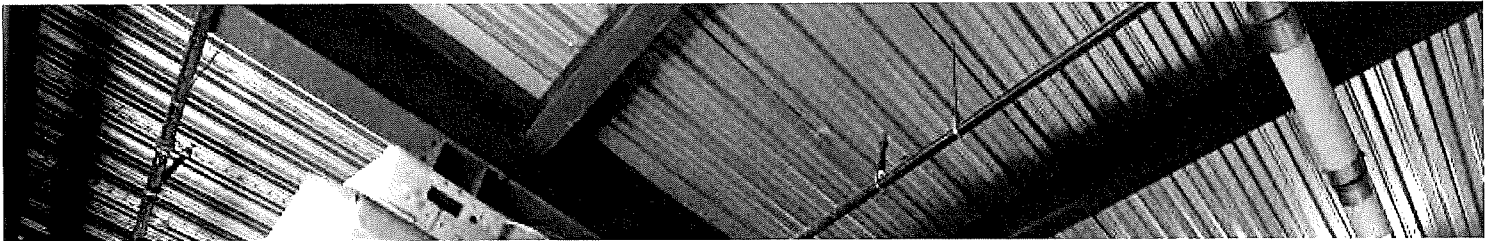
**Liberty Liberty**

POLITICS

When will we know if Biden or Trump won? It could depend on absentee ballot rules in these states

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EXHIBIT I-1



Los Angeles Times

LOG IN



Absentee ballots are prepared for mailing at the Wake County Board of Elections in Raleigh, N.C., on Sept. 3. North Carolina began sending out more than 600,000 absentee ballots requested by voters the next day. (Gerry Broome / Associated Press)

By ARIT JOHN | STAFF WRITER

SEP. 15, 2020 | 6:30 AM UPDATED SEP. 24, 2020 | 4:23 PM



Election day? Try election week.

Election officials and the news media are preparing for delays in 2020 returns as a record-breaking number of voters are expected to take advantage of expanded mail voting options during a pandemic that continues to kill hundreds each day in the U.S.

Making matter worse, slow U.S.
whether ballots will be postma

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EXHIBIT I-2

decided the 2016 race with the narrowest of margins have outdated laws on counting absentee ballot that don't account for this year's uptick.

In 2016, President Trump surpassed the 270 electoral votes necessary to win thanks in part to razor-thin victories in Wisconsin, Michigan and Pennsylvania. The electoral college's 538 electors are doled out on a winner-take-all basis in nearly every state (Maine and Nebraska use a proportional system). Ballots that are discounted because they arrived late could tip the election.

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In battleground states across the country, pending lawsuits and legislation could drastically change rules on when ballots must be received and when they can be prepared for counting.

"The unofficial results that we report on election night are just that, always have been, unofficial results," Ohio Secretary of State Frank LaRose said at a Sept. 8 news conference. "This year they may be different."

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President Trump, who has claimed repeatedly and without evidence that mail voting leads to widespread fraud, has called for results to be finalized on election night. Critics have said Trump is setting up to try to delegitimize the results of an election he might lose, including a scenario in which he is ahead on election night when millions of mail ballots have yet to be counted.

The president has also said he's unwilling to approve a funding boost for the Postal Service because of the role it will play delivering millions of absentee ballots. Vote by mail could hurt his election chances, he's said, arguing that his supporters are more likely to vote in person.

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POLITICS

Trump vows to block new Postal Service funding to undercut voting by mail

Aug. 13, 2020

Trump's stance on mail voting has helped politicize the process. Democratic voters have been requesting absentee ballots at higher rates than Republicans in some battleground states. Democratic governors in Wisconsin, Michigan and Pennsylvania have processed and when they're du

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EXHIBIT I-4

lawsuits over mail balloting, with the Trump campaign going after states trying to make it easier to vote in the pandemic.

How long it will take to calculate final results depends on several factors, including when ballots are due and when election officials are allowed to begin preparing ballots for counting.

Before a voter’s selections are tabulated, election officials need to verify the signatures on ballots, open them, flatten them out and scan them through equipment, said Amber McReynolds, chief executive of the National Vote at Home Institute. Ideally, local election officials would be allowed to start processing a ballot when it is received, to let voters know their ballot was accepted, she said. The tabulation of actual votes usually comes later.

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How to make sure your mail ballot gets counted

UPDATED SEP. 15, 2020 | 7:10 AM

Check your registration status

Every voter should do this now. Just go to <https://www.nass.org/can-i-vote>, a portal created by the National Assn. of Secretaries of State. If you find you are not on the voting rolls, use the portal to register.

Get a mail ballot +

Mail your ballot by October 27th +

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Track your ballot -

Her organization has been advocating for changes in Wisconsin, Michigan and Pennsylvania, which have Democratic governors, Republican-controlled legislatures and laws that prohibit ballot preparation before election day.

McReynolds, the former director of elections for Denver, noted that state legislators who “set the rules of the game for the election process” are often reluctant to change the process. “We frankly see a lot of resistance to change, because they got elected in the model that exists,” she said.

Michigan Secretary of State Jocelyn Benson has called for her state Legislature to allow election officials to start processing ballots earlier. Officials there expect twice as many mail ballots as usual in November, but a law prohibits any processing before the morning of the election. “If that doesn’t change it may be until Friday evening before the full results of Michigan’s elections are in,” Benson told CNN this month.

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Then there’s the question of when ballots must be received: At least eight battleground states will accept ballots after Nov. 3 if they’ve been postmarked on or before that day. Others require absentee ballots to be received by election night, though lawsuits in some of those states are pushing to change that.

Here’s where things stand in the states that will likely determine the next president:

Arizona (11 electoral votes)

Excuse needed to vote abs

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When are ballots due? Mus

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When are ballots processed? Signature verification happens upon receipt. Vote tallying may begin 14 days before the election, but results may not be released until polls close.

Arizona residents have been voting by mail for decades, and the state allows people to permanently sign up to receive absentee ballots. In the August primary, 88% of voters cast their ballots early, primarily by mail. The state is also familiar with the extended counting period that comes with mail ballots — it took six days for the Associated Press to call the 2018 Senate race for Kyrsten Sinema; Martha McSally, who was later appointed to the Senate, was leading on election night.

Florida (29 electoral votes)

Excuse needed to vote absentee? No.

When are ballots due? Must be received by 7 p.m. election day.

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When are ballots processed? County officials may begin tallying votes as soon as they complete a public test of ballot counting machines.

“States like Florida should be able to handle an influx of vote by mail ballots,” said Daniel Smith, the chair of the University of Florida political science department. The state has allowed no-excuse absentee voting since 2002, so voters are familiar with the process. In June, Republican Gov. Ron DeSantis signed an executive order allowing county election officials to start counting votes once tabulation equipment is tested.

“Does that mean there aren’t g
the window if it’s a close electi

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it

Georgia (16 electoral votes)

EXHIBIT I-7

Excuse needed to vote absentee? No.

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When are ballots due? Under a recent federal judge's ruling, ballots postmarked by election day will count if received within three days after the election. That ruling is under appeal by Republican Secretary of State Brad Raffensperger. His office argues that the case that led to the ruling only applies to parts of the state, and that the deadline of 7 p.m. on election night for ballot return still stands in most counties.

When are ballots processed? Signatures on the envelopes are verified when ballots are received. Ballot scanning may begin Oct. 19. Counting of votes may not begin before polls close.

The state saw a massive increase in absentee voting in its June primary: About 1.1 million ballots were cast by mail, far more than the 37,000 cast in the 2016 primary, according to Georgia Public Broadcasting.

A federal judge in late August blocked the state law that requires ballots to be received by 7 p.m. on election night and ruled that the state must accept ballots that are postmarked by election day and received by county officials in three days. Raffensperger filed an appeal Sept. 4. His office argues that the ruling only applies to the 17 counties specifically mentioned in the lawsuit, out of 159 total.

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Iowa (6 electoral votes)**Excuse needed to vote abs**

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When are ballots due? Ball

postmarked the day before the election will be accepted until Nov. 9.

EXHIBIT I-8

When are ballots processed? County auditors can begin counting absentee ballots the day before the election.

Iowa sent absentee ballot request forms to voters ahead of its June primary and will send new request forms ahead of the general election. In June, 78% of voters cast absentee ballots before election day either by mail or in person. In the 2016 primary, just 18% of voters cast absentee ballots.

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Michigan (16 electoral votes)

Excuse needed to vote absentee? No.

When are ballots due? Ballots postmarked the day before election day will count if received with 14 days after the election.

When are ballots processed? Processing and counting begins on election day, but that may change.

In the state's August primary, a record-breaking 1.6 million — of 2.5 million — ballots cast were absentee, according to Secretary of State Benson. Michigan voters passed a proposition in 2018 that allows for no-excuse absentee voting.

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Benson and other officials have called for allowing ballot processing to begin sooner and changing the requirement that ballots must be received by election day. More than 6,400 absentee ballots in August. On Sept. 18, a Michigan count if received within 14 day

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State lawmakers have passed legislation that would allow election officials to begin processing ballots the day before the election. The bill now goes to the Democratic governor.

Minnesota (10 electoral votes)

Excuse needed to vote absentee? No.

When are ballots due? Mailed ballots must be postmarked by election day and received by Nov. 10. Voters can also turn in ballots in person by 3 p.m. on election day.

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When does ballot processing begin? Ballots are verified and accepted or rejected upon receipt. At the close of business on the seventh day before the election, officials may open the ballots and place them in a ballot box. Counting begins after polls close.

Minnesota enacted no-excuse absentee voting in 2014, and 6 out of 10 voters took advantage of that in the state's August primary. On Aug. 4, a county judge ruled the state should allow ballots postmarked by election day to be counted if they're received by Nov. 10. The Trump campaign and RNC are appealing, and the ruling will be considered by the state Supreme Court, which issued a split decision this month in a case on voter assistance. The court upheld a Democratic-backed lower court ruling that blocked enforcement of a cap on how many people a person can assist with voting in-person, but reversed a ruling that would have allowed a person to collect and deliver more than three ballots in a move favored by Republicans.

New Hampshire (4 electoral votes)

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with catching the coronavirus (

When are ballots due? 5 p.m. on election night.

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When are ballots processed? Processing may begin at 1 p.m. on election day, or as early as two hours after polls open if proper notice is given. Counting begins after the polls close on election day.

New Hampshire, which traditionally favors in-person voting, saw a massive uptick in absentee ballot requests ahead of its Sept. 8 primary. Secretary of State Bill Gardner has said he expects the state will have election results on Nov. 3, even with increased absentee ballots.

Meanwhile, the American Federation of Teachers is suing the state to, among other things, extend the mail ballot deadline. The Trump campaign and RNC have asked to intervene in the case to oppose any changes, New Hampshire Public Radio reported.

North Carolina (15 electoral votes)

Excuse needed to vote absentee? No.

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When are ballots due? Ballots postmarked by election day will be accepted until Nov. 12.

When are ballots processed? Ballot processing — including opening of ballots — may begin Sept. 29. Counting begins on election day. The state began sending out ballots Sept. 4.

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North Carolina officials expect

early voting ballots, election day ballots and mail-in ballots that arrive by Nov. 3,

EXHIBIT I-11

according to Patrick Gannon, a spokesman for the state's election board. "Whether the media and/or candidates will be able to call winners ... will depend on how close contests are and how many absentee and provisional ballots remain to be counted after Election Day," Gannon wrote in an email.

State election officials agreed to extend the deadline for absentee ballots postmarked by election day from Nov. 6 to Nov. 12 as part of consent decree resolving a lawsuit filed by a retiree group.

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POLITICS

Republicans scramble to hold once-reliable North Carolina

Aug. 24, 2020

Ohio (18 electoral votes)

Excuse needed to vote absentee? No.

When are ballots due? Ballots postmarked the day before the election will be accepted until Nov. 13.

When are ballots processed? Ballots can be processed as soon as they arrive at the Board of Elections, and counted on election day.

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Ohio sent absentee ballot requ
More than 1 million voters had

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didn't reach until early October in 2016. Ballots will be sent to voters starting Oct. 6 —

EXHIBIT I-12

and LaRose, the secretary of state, said the earliest tallies announced on election night will be the absentee ballots.

Pennsylvania (20 electoral votes)

Excuse needed to vote absentee? No.

When are ballots due? Ballots postmarked by election day must be received by election officials by 5 p.m. on Nov. 6.

When are ballots processed? Counting and processing may begin at 7 a.m. on election day

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Pennsylvania passed legislation last year allowing voters to request absentee ballots without an excuse. In the June 2 primary, about 1.8 million voters received absentee ballots, 17 times more than the number who requested absentee ballots in the 2016 presidential primary, according to election officials. Of those, 1.5 million were returned.

Following a request from election officials and a lawsuit from the state Democratic Party, the state Supreme Court on Sept. 17 ruled that ballots postmarked by election day and received by 5 p.m. three days after the election would count. The court also ruled that ballots that had a missing or illegible postmark would be considered on time if they weren't obviously mailed after election day.

There are also efforts to allow election officials to begin processing ballots sooner, after it took more than two weeks to complete the count of the June primary. Democratic

Gov. Tom Wolf has called for the state Senate would allow p would move up the deadline to

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Wisconsin (10 electoral votes)

Excuse needed to vote absentee? No

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When are ballots due? A federal judge ruled that ballots postmarked by election day will be considered on time if received by Nov. 9. The ruling will probably be appealed. (Under Wisconsin law, ballots are due by 8 p.m. on election day.)

When are ballots processed? Processing and counting begins at 7 a.m. on election day

The state's April 7 primary in some ways set the tone for the November election — voters chose to mail in their ballots in record numbers even in the midst of a chaotic legal fight. Nearly 1 million people — 60% of April primary voters — mailed in their ballots, far surpassing the historic average of 6%, according to a report by the Wisconsin Elections Commission.

The U.S. Supreme Court ruled that ballots in that primary had to be postmarked by April 7, but could still be counted if they arrived by April 13. About 79,000 ballots arrived between April 8 and 13. A federal judge granted voters the same six-day grace period for the November election in a Sept. 21 ruling. The judge immediately put the decision on hold for a week, in anticipation of an appeal.

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Arit John joined the Los Angeles Times in February 2020 as a political reporter covering the presidential campaign. John previously worked at the New York Times, Bloomberg News and the Atlantic. She grew up in Rancho Cucamonga and studied English at UCLA.

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EXHIBIT I-15

Genesee County

	H. Clinton	52.4%	102,744
	D. Trump	42.9%	84,174
	G. Johnson	3.2%	6,221
	J. Stein	1.1%	2,193
	D. Castle	0.4%	703
	E. Soltysik	0.1%	100

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